



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Criminal Original Jurisdiction

Monday, the Thirteenth day of January Two Thousand and Twenty

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.R.SWAMINATHAN

CRL OP(MD). No.745 of 2020

P.Rajendran,
S/o.Pakrisamy, No.65 Hospital Road,
Vedaranyam Post,
Nagapattinam District ... Petitioner/Accused

Vs

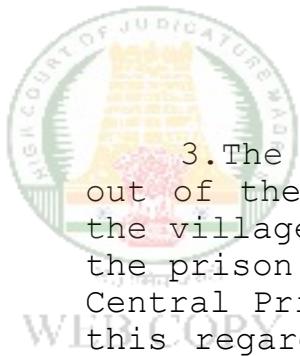
Union of India rep by its
Intelligence Officer,
Narcotic Control Bureau, Madurai Sub Zone,
Madurai.
(NCB F.No.48/1/01/2018) ...Respondent/Complainant

Prayer :- Criminal Original Petition is filed under Section 439 of CRPC Praying to enlarge the petitioner on bail in C.C.No.34 of 2019 on the file of the Special Court for NDPS Cases, Pudukottai for a fixed period as stipulated by this Honble Court

ORDER:- This Criminal Original Petition coming upon for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.K.P.S.Palanivel Rajan,Advocates for the Petitioner, and of Mr.C.Arul Vadivel @ Sekar,Special Public Prosecutor For NCB Cases, for the respondents, this Court made the following order:

Heard the learned counsel appearing for the petitioner and the Special Public Prosecutor appearing for the respondent.

2.The petitioner is in custody since 10.01.2018 for the offences under Sections 8(c), 20(b)(ii)(C), 29(1) of the Narcotic Drugs and Psychotropic Substances Act, 1985. The case involves commercial quantity of ganja. The petitioner's biological elder brother has passed away on 12.01.2020. Funeral is to take place tomorrow, ie., 14.01.2020. The petitioner, therefore, has to attend the funeral ceremony. In view of the limitation set out in Section 37 of the NDPS Act, I am not inclined to grant even interim bail. However, a direction can be given to the prison authorities to escort the petitioner from the Central Prison, Trichy to Vedharanyam



3.The prison authority will ensure that the petitioner is taken out of the prison tomorrow morning at 08.00 A.M ie., 14.01.2020 to the village where the funeral is to take place and bring him back to the prison at 06.00 P.M on 15.01.2020. The Superintendent of Prison, Central Prison, Trichy is directed to make necessary arrangements in this regard immediately on production of the certified copy of this order. Considering the facts and circumstances of the case, the escort will be free of cost.

4.This criminal original petition is disposed of on these terms.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TO

Union of India Rep by its

1. Intelligence Officer

Narcotic Control Bureau, Madurai Sub Zone Madurai

NCB F.No.48/1/01/2018

2.The Special Court of NDPS Cases, Pudukkottai.

3.The Superintendent,

Central Prison, Trichy.

Copy to:

The Section Officer,

Criminal Section,

Madurai Bench of Madras High Court, Madurai (2c)

+1cc to Mr.K.P.S.PALANIVELRAJAN, ADVOCATE, SR NO.889

ORDER DATED : 13/01/2020

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ORDER

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CRL OP(MD). No.745 of 2020

Giving direction and etc.
as stated within.

KK/SAR/13.01.2020/2P-7C/